5-14-01

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PTO/SB/05 (08-00) (modified)
Approved for use through 9/30/2001, OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

NEW UTILITY PATENT APPLICATION TRANSMITTAL

(only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket Number	20852-05134
First Named Inventor	Laurence J. Newell
Title	Control channel for an optical communications system utilizing frequency division multiplexing
Express Mail Label No.	EL482717405US

APPLICATION ELEMENTS

1. ☒ Fee Transmittal Form (in duplicate)
2. ☒ Applicant claims small entity status. See 37 CFR 1.27
3. ☒ Specification   *Total Pages* [36]
   (preferred arrangement set forth below)
   - Descriptive Title of the Invention
   - Cross Reference(s) to Related Case(s)
   - Statement Regarding Fed sponsored R & D
   - Background of the Invention
   - Brief Summary of the Invention
   - Brief Description of the Drawing(s)
   - Detailed Description
   - Claim or Claims
   - Abstract of the Disclosure
4. ☒ Drawing(s) *(35 U.S.C. 113)*   *Total Sheets* [17]
5. Oath or Declaration
   a. ☐ New Declaration   *Total Pages* [ ]
      ☐ Executed (original or copy)
   b. ☐ Copy from a prior application (37 CFR 1.63(d))
      (for continuation/divisional with Box 18 completed)
      i. ☐ DELETION OF INVENTOR(S)
         Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
9. ☐ Power of Attorney or Authorization of Agent
10. ☐ 37 CFR 3.73(b) Statement
11. ☐ Preliminary Amendment
12. ☐ Information Disclosure Statement & PTO-1449
    ☐ Copies of IDS Citation(s)
13. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
14. ☒ Return Postcard
15. ☐ _____
16. ☐ _____
17. ☐ _____

ADDRESS TO:

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

18. **If a CONTINUING APPLICATION,** *check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:*

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No: 09/569,761
Prior application information: *Examiner:* Unassigned *Group/Art Unit:* 2874

Also a ☒ Continuation-in-part (CIP) of prior application No: 09/816,242
Prior application information: *Examiner:* Unassigned *Group/Art Unit:* Unassigned

Which is a ☒ Continuation-in-part (CIP) of prior application No: 09/571,349
Prior application information: *Examiner:* Unassigned *Group/Art Unit:* 2733

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.
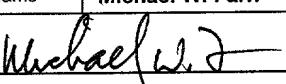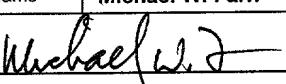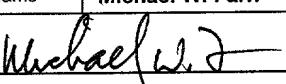
19. CORRESPONDENCE ADDRESS

☒ *Customer Number and Bar Code Label*

00758

Name *(Print/Type)*	Michael W. Farn	*Registration No. (Attorney/Agent)*	41,015
Signature		*Date*	May 11, 2001

05/11/01   Jc685 U.S. PTO

09/853556   11002 U.S. PTO   05/11/01

0002/PTO(modified) Rev. 10/2000	U.S. Department of Commerce Patent and Trademark Office	**Complete if Known**	
		Application Number	Unassigned
FEE TRANSMITTAL		Filing Date	May 11, 2001
		First Named Inventor	Laurence J. Newell
TOTAL AMOUNT OF PAYMENT		Group Art Unit	Unassigned
		Examiner Name	Unassigned
Subtotal (1) + Subtotal (2) + Subtotal (3) = **($)355**		Attorney Docket Number	20852-05134

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to:

☐ Charge the indicated fees to the below mentioned deposit account.

☒ Charge any additional fee required under 37 CFR 1.16 - 1 21 or credit any over payments to the below mentioned deposit account. †

☒ Applicant claims small entity status
See 37 CFR 1.27

Deposit Account Number: 19-2555
Deposit Account Name: FENWICK & WEST LLP

A Duplicate Copy of this authorization is attached

2 ☒ **Payment Enclosed:**
☒ Check ☐ Credit Card ☐ Other

FEE CALCULATION (fees effective 10/01/2000)

1. FILING FEE

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
101/$710	201/$355	Utility Filing	355
106/$320	206/$160	Design Filing	
108/$710	208/$355	Reissue	
114/$150	214/$75	Provisional Filing	
	SUBTOTAL (1)		**($)355**

2. CLAIMS

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description
103/$18	203/$9	Claims in excess of 20
102/$80	202/$40	Independent claims in excess of 3
104/$270	204/$135	Multiple dependent claim
109/$80	209/$40	Reissue independent claims over original patent
110/$18	210/$9	Reissue claims in excess of 20 and over original patent

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
105/$130	205/$65	Surcharge - late filing fee or oath	
127/$50	227/$25	Surcharge-late provisional filing fee or cover sheet	
147/$2,520	147/$2,520	For filing a request for reexamination	
115/$110	215/$55	Extension for response within first month†	
116/$390	216/$195	Extension for response within second month†	
117/$890	217/$445	Extension for response within third month†	
118/$1,390	218/$695	Extension for response within fourth month†	
128/$1,890	228/$945	Extension for response within fifth month†	
119/$310	219/$155	Notice of Appeal	
141/$1,240	241/$620	Petition to revive unintentionally abandoned application	
142/$1,240	242/$620	Utility Issue Fee (Or Reissue)	
143/$440	243/$220	Design Issue Fee	
122/$130	122/$130	Petitions to the Commissioner	
126/$180	126/$180	Submission of Information Disclosure Statement	
179/$710	279/$355	Request for Continued Examination (RCE)	
581/$40	581/$40	Recording each patent assignment per property (times number of properties)	
146/$710	246/$355	Filing a submission after final rejection (37 CFR 1.129(a))	
149/$710	249/$355	For each additional invention to be examined (37 CFR 1.129(b))	
		Other fee (specify):	
		Other fee (specify):	
		SUBTOTAL (3)	**($)-0-**

	(Col. 1)		(Col. 2)		(Col. 3)			
For	No. of Existing Claims		Highest No. Previously Paid For		Extra**		Fee	Fee Due
TOTAL	20	minus*	20 or 0	=	0	x	9 =	0
INDEP	2	minus*	3 or 0	=	0	x	40 =	0
[ ] First presentation of multiple dependent claim							=	0

* Subtract the greater number of Col. 2
** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

SUBTOTAL (2) **($)-0-**

SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	**Michael W. Farn**	Reg. Number	**41,015**
Signature	*Michael W.*	Date	**May 11, 2001**

† Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby